

**IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF ILLINOIS**

Celina Montoya, et al.,

Plaintiff(s),

v.

Jeffreys,

Defendant(s).

Case No. 18 C 1991
Judge Gary Feinerman

JUDGMENT IN A CIVIL CASE

☐ in favor of defendant(s)
and against plaintiff(s)

Defendant(s) shall recover costs from plaintiff(s).

☒ other: Judgment is entered in favor of Plaintiffs Celina Montoya, et al., and against Defendant Rob Jeffreys, insofar as the court declares as follows: The Illinois Department of Corrections' ("IDOC") child-contact policy for parolees convicted of sex offenses violates the Due Process Clause of the Fourteenth Amendment to the U.S. Constitution insofar as: (1) IDOC fails to offer such parolees a process by which they may submit to the containment team written communications addressed to their child(ren) for review and decision within seven calendar days; and (2) the policy allows IDOC to deny child contact based solely on the parolee's failure to take a polygraph examination where the parolee cannot afford such an examination. In the circumstances described in (2), IDOC may comply with the Due Process Clause by (a) providing financial assistance to the parolee such that the parolee reasonably can afford a polygraph examination offered by a privately employed polygraph examiner; (b) offering the parolee a polygraph examination by an IDOC employed polygraph examiner at a cost that the parolee reasonably can afford; or (c) granting the parolee's child contact request notwithstanding the absence of the polygraph examination. In all other respects, Plaintiffs' constitutional challenges to the IDOC's child-contact policy are rejected, and in those respects judgment is entered in favor of Defendant Rob Jeffreys and against Plaintiffs Celina Montoya, et al.

This action was (*check one*):

- ☐ tried by a jury with Judge presiding, and the jury has rendered a verdict.
☒ tried by Judge Gary Feinerman without a jury and the above decision was reached.
☐ decided by Judge on a motion

Date: 9/9/2022

Thomas G. Bruton, Clerk of Court

/s/ Jackie Deanes , Deputy Clerk